

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:98-cv-01473-HHK**

BUREAU NATL AFFAIRS v. IRS, et al  
Assigned to: Judge Henry H. Kennedy  
Demand: \$0  
Lead case: [1:96-cv-00376-HHK](#)  
Member case: ([View Member Case](#))  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/11/1998  
Date Terminated: 01/06/2000  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government  
Defendant

**Plaintiff**

**BUREAU OF NATIONAL AFFAIRS,  
INC.**

represented by **Eleanor Huske Smith**  
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V.

**Defendant**

**INTERNAL REVENUE SERVICE**

represented by **Joseph A. Sergi**  
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**Defendant**

**ROBERT E. RUBIN**  
*Secretary of the Treasury*

represented by **Joseph A. Sergi**  
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**Michael Joseph Salem**  
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**Defendant**

**CHARLES O. ROSSOTTI**  
Commissioner of Internal Revenue  
Service

represented by **Joseph A. Sergi**  
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Date Filed	#	Docket Text
06/11/1998	1	COMPLAINT filed by plaintiff BUREAU NATL AFFAIRS (tlh) (Entered: 06/16/1998)
06/11/1998		SUMMONS (5) issued to federal party(s) federal defendant IRS, federal defendant ROBERT E. RUBIN, federal defendant CHARLES O. ROSSOTTI , and non-parties: U.S. Attorney and U.S. Attorney General. (tlh) (Entered: 06/16/1998)
07/10/1998	2	ANSWER TO COMPLAINT [1-1] by federal defendant IRS, federal defendant ROBERT E. RUBIN, federal defendant CHARLES O. ROSSOTTI . (tlh) (Entered: 07/13/1998)
07/20/1998	3	ORDER by Judge Henry H. Kennedy : Meet Confer hearing set for 9:30 8/10/98 . (N) (adc) (Entered: 07/20/1998)
07/24/1998	4	MEET AND CONFER STATEMENT/REPORT PURSUANT TO L.R. 206(d) filed by plaintiff BUREAU NATL AFFAIRS, federal defendant IRS, federal defendant ROBERT E. RUBIN, federal defendant CHARLES O. ROSSOTTI . (JMF) (Entered: 07/27/1998)
08/06/1998	7	SUPPLEMENTAL STATEMENT by federal defendant IRS, federal defendant ROBERT E. RUBIN, federal defendant CHARLES O. ROSSOTTI required by Court's order for initial scheduling conference. (tlh) (Entered: 08/11/1998)
08/07/1998	5	ATTORNEY APPEARANCE for federal defendant IRS, federal defendant ROBERT E. RUBIN, federal defendant CHARLES O. ROSSOTTI by Melissa Anemojanis Holton (tlh) (Entered: 08/10/1998)
08/07/1998	6	ATTORNEY APPEARANCE for federal defendant IRS, federal defendant ROBERT E. RUBIN, federal defendant CHARLES O. ROSSOTTI by Joseph A. Sergi (tlh) (Entered: 08/10/1998)
08/10/1998		STATUS HEARING before Judge Henry H. Kennedy : Reporter: Donna Keeble (dcn) (Entered: 08/10/1998)
08/13/1998	8	NOTICE OF FILING by plaintiff BUREAU NATL AFFAIRS of a proposed scheduling order. (tlh) (Entered: 08/14/1998)

08/18/1998	9	NOTICE OF FILING by federal defendant IRS of statement regarding the notice of filing on or about 8/13/98; exhibits (2) (tlh) (Entered: 08/19/1998)
08/21/1998	10	ORDER by Judge Henry H. Kennedy : that the above captioned action is consolidated with civil actions numbered 96-376 and 96-2820 for all purposes; that discovery shall close 120 days from the date of the last order resolving the discovery motions now pending in 96-376 and 96-2820; the parties shall exchange witness lists within 30 days following the date of defendants' compliance with the Court's order resolving the pending discovery motions, or the date of the last such order, which ever date is later; dispositive motions shall be filed by the parties within 30 days after the close of discovery; oppositions shall be filed within 25 days of service of the dispositive motions; replies shall be filed 15 days from service of the oppositions Case assigned to the Standard track (track two). , and referring all purposes to Magistrate Judge Facciola for full case management (N) (dam) Modified on 09/21/1998 (Entered: 08/24/1998)
08/21/1998		ALL PLEADINGS IN 98cv1473 ARE BEING DOCKETED AND FILED IN 96cv376 AS OF 8/21/98 (tlh) (Entered: 09/23/1998)
08/21/1998	10	ORDER by Judge Henry H. Kennedy : that the above-captioned action is consolidated with civil actions numbered 96-cv-2820 and 98-cv-1473; consolidated cases are assigned to the standard track; discovery shall close 120 days from the date of the last order resolving the discovery motions now pending in 96-cv2820 and 98-cv-1473; the parties shall exchange witness lists within 30 days following the date of defendants' compliance with the Court's order resolving the pending discovery motions, or the date of the last such order, which ever date is later; dispositive motions shall be filed by the parties within 30 days after the close of discovery; oppositions shall be filed within 25 days of service of the dispositive motions; replies shall be filed 15 days from service of the oppositions; these three consolidated cases are assigned to Magistrate Judge Facciola for full case management (N) (tlh) (Entered: 09/23/1998)
08/21/1998		CASE REFERRED to Magistrate Judge John M. Facciola for full case management (cjp) (Entered: 02/12/1999)
10/15/1998		MOTION (THIRD) filed by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 for protective order ; exhibits (3) (tb) (Entered: 10/16/1998)
10/19/1998	11	MEMORANDUM OPINION by Magistrate Judge John M. Facciola (N) (pao) (Entered: 10/19/1998)
10/19/1998	12	ORDER by Magistrate Judge John M. Facciola : denying motion for protective order [37-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS in 1:96-cv-00376, denying motion for protective order [33-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS in 1:96-cv-00376, denying motion to compel discovery [25-1] by BUREAU/NATL. AFFAIRS in 1:96-cv-00376, denying motion for protective order [24-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS in 1:96-cv-00376; directing IRS to submit documents for in camera inspection by 11/2/98. (N) (pao) (Entered: 10/19/1998)

11/02/1998		RESPONSE by federal defendant IRS in 1:96-cv-00376 to Judge John M. Facciola's order dated October 16, 1998 [39-1] (tw) (Entered: 11/03/1998)
11/04/1998		MOTION filed by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 for clarification of order 10/16/98 , and for partial reconsideration of order dated 10/19/98 [39-1] ; exhibits (6) (tlh) (Entered: 11/06/1998)
11/06/1998		MOTION filed by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 to vacate reference to Magistrate Judge. (tlh) (Entered: 11/09/1998)
11/16/1998	19	ORDER by Judge Henry H. Kennedy : granting motion to vacate reference to Magistrate Judge. [42-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS in 1:96-cv-00376 (N) (adc) (Entered: 08/06/1999)
11/18/1998		MOTION filed by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 to extend time to 11/23/98 respond to defendants' motion for clarifications and partial reconsideration. (tlh) (Entered: 11/19/1998)
11/19/1998	13	ORDER by Magistrate Judge John M. Facciola : granting motion to extend time to 11/23/98 respond to defendants' motion for clarifications and partial reconsideration. [43-1] by BUREAU/NATL. AFFAIRS in 1:96-cv-00376 (N) (pao) (Entered: 11/20/1998)
11/23/1998		MOTION filed by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 to extend time to 11/25/98 in which to respond to defendants' motion for clarification and partial reconsideration. (tlh) (Entered: 11/24/1998)
11/25/1998		MOTION filed by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 for summary judgment ; exhibits (26) (tlh) (Entered: 11/27/1998)
12/02/1998		MOTION filed by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 to lift the in camera status of defendants' index , or in the alternative to strike the index from the record. (tlh) (Entered: 12/03/1998)
12/18/1998		MEMORANDUM by federal defendant in 1:96-cv-00376 in opposition to motion to lift the in camera status of defendants' index [47-1]; or in the alternative to strike from the record by BUREAU/NATL. AFFAIRS (st) Modified on 12/23/1998 (Entered: 12/22/1998)
12/18/1998		MOTION filed by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 to extend time to 1/11/99 to file an opposition to plaintiff's motion for summary judgment (st) (Entered: 12/22/1998)
12/18/1998	14	MOTION filed by federal defendant IRS in 1:98-cv-01473, federal defendant ROBERT E. RUBIN in 1:98-cv-01473, federal defendant CHARLES O. ROSSOTTI in 1:98-cv-01473 to extend time to 1/11/99 to file opposition to plaintiff's motion for summary judgment (st) (Entered: 12/23/1998)

12/23/1998	15	ORDER by Magistrate Judge John M. Facciola : granting motion to extend time to 1/11/99 to file opposition to plaintiff's motion for summary judgment [49-1] by CHARLES O. ROSSOTTI, ROBERT E. RUBIN, IRS response to motion for summary judgment due 1/11/99 in 1:96-cv-00376, in 1:96-cv-02820, in 1:98-cv-01473 ; in 1:96-cv-00376, 1:98-cv-01473 (N) (pao) (Entered: 12/23/1998)
01/11/1999		RESPONSE by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 in opposition to motion for summary judgment [46-1] by BUREAU/NATL. AFFAIRS . (tlh) (Entered: 01/12/1999)
01/14/1999		MOTION filed by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 for oral hearing (tlh) (Entered: 01/15/1999)
01/22/1999		REPLY by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 to response to motion for summary judgment [46-1] by BUREAU/NATL. AFFAIRS; Exhibit (1). (ks) (Entered: 01/25/1999)
01/29/1999	16	ORDER by Magistrate Judge John M. Facciola : granting motion for oral hearing [52-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS in 1:96-cv-00376 (N) (pao) (Entered: 01/29/1999)
02/10/1999		STATUS HEARING before Magistrate Judge John M. Facciola : directing plaintiff to file proposed scheduling order by 2/22/99 Reporter: protypist: tape 26-99-3 lines 5479-7167 and tape 26-99-4 lines 676-1482. (st) (Entered: 02/10/1999)
02/10/1999		NOTICE OF FILING RE: proposed schedule for redaction & release of APAs by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376; (fiat) MAG. J. FACCIOLA (tb) Modified on 02/16/1999 (Entered: 02/16/1999)
02/12/1999	17	ORDER by Magistrate Judge John M. Facciola : directing plaintiff to respond to defendants' proposed schedule for redaction and release of APA's by 2/22/99; defendant to reply by 3/1/99 or within 7 days upon receipt of plaintiff's response. (N) (pao) Modified on 02/16/1999 (Entered: 02/12/1999)
02/22/1999		MEMORANDUM by plaintiff BUREAU/NATL. AFFAIRS in opposition to defenfant's proposed schedule for redaction and release of APAS and BNA's status report to the Court; Exhibits (3). (ks) (Entered: 02/23/1999)
02/25/1999		MOTION filed by movant TAX EXECUTIVES in 1:96-cv-00376 for leave to file a memorandum amicus curiae in oppositon to plaintiff Bureau of National Affairs, Inc.'s motiona for summary judgment ; exhibit (MEMORANDUM IN OPPOSITION) (dam) (Entered: 02/26/1999)
02/26/1999		MOTION filed for ABC CORPORATION, DEF, INC., XYZ, INC. to case(s) 1:96-cv-00376, to file amicus brief (dot) (Entered: 03/01/1999)

02/26/1999	18	MOTION filed by federal defendant IRS in 1:98-cv-01473, federal defendant ROBERT E. RUBIN in 1:98-cv-01473, federal defendant CHARLES O. ROSSOTTI in 1:98-cv-01473 to extend time to 3/5/99 to file reply to proposed schedule for redaction and release of APAs and status report to the Court. (dot) (Entered: 03/01/1999)
03/01/1999		REPLY by federal defendants to response to plaintiff's opposition to defendants' proposed schedule for Redaction & Release of APA's; Exhibit (1). (ks) (Entered: 03/03/1999)
03/03/1999		TRANSCRIPT filed for date(s) of 02/10/99. Reporter: ProTypists, Inc. (tb) (Entered: 03/03/1999)
03/08/1999		RESPONSE by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 in opposition to motion for leave to file a memorandum amicus curiae in oppositon to plaintiff Bureau of National Affairs, Inc.'s motion for summary judgment [58-1] by TAX EXECUTIVES; exhibits (5) (tb) (Entered: 03/09/1999)
03/08/1999		SUPPLEMENTAL MEMORANDUM by movant ABC CORPORATION in 1:96-cv-00376, movant DEF, INC. in 1:96-cv-00376, movant XYZ, INC. in 1:96-cv-00376 to motion for ABC CORPORATION, DEF, INC., XYZ, INC. to case(s) 1:96-cv-00376, to file amicus brief [59-1] (tb) (Entered: 03/09/1999)
03/09/1999		RESPONSE by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 in opposition to motion for ABC CORPORATION, DEF, INC., XYZ, INC. to case(s) 1:96-cv-00376, to file amicus brief [59-1]; exhibits (6); declaration (1) . (tb) (Entered: 03/10/1999)
03/10/1999		RESPONSE (OPPOSITIONS) by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 to motion for leave to file a memorandum amicus curiae in opposition to plaintiff Bureau of National Affairs, Inc.'s motion for summary judgment [58-1] by TAX EXECUTIVES (tb) (Entered: 03/11/1999)
03/11/1999		MEMORANDUM by movant ABC CORPORATION in 1:96-cv-00376, movant DEF, INC. in 1:96-cv-00376, movant XYZ, INC. in 1:96-cv-00376 in opposition to motion for summary judgment [46-1] by BUREAU/NATL. AFFAIRS (tb) (Entered: 03/11/1999)
03/11/1999		RESPONSE by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 to motion for ABC CORPORATION, DEF, INC., INC. to case(s) 1:96-cv-00376, to file amicus brief [59-1] (lkn) (Entered: 03/12/1999)
03/16/1999		MOTION filed by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 for partial summary judgment (tb) (Entered: 03/17/1999)
03/16/1999		REPLY by movant ABC CORPORATION in 1:96-cv-00376, movant DEF, INC. in 1:96-cv-00376, movant XYZ, INC. in 1:96-cv-00376 in support of motion for ABC CORPORATION, DEF, INC., XYZ, INC. to case(s) 1:96-cv-00376, to file amicus brief [59-1] (tb) (Entered: 03/18/1999)

03/30/1999		RESPONSE by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 in opposition to motion for partial summary judgment [70-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS; exhibit (1) (tb) (Entered: 03/31/1999)
04/05/1999		NOTICE OF SUPPLEMENTAL AUTHORITY by movant TAX EXECUTIVES in 1:96-cv-00376, movant ABC CORPORATION in 1:96-cv-00376, movant DEF, INC. in 1:96-cv-00376, movant XYZ, INC. in 1:96-cv-00376 (jf) (Entered: 04/06/1999)
08/30/1999		SUPPLEMENTAL MEMORANDUM by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 in support of defendants' proposed schedule for redaction & release of APA's (lkn) (Entered: 08/31/1999)
09/13/1999		RESPONSE (OPPOSITIONS) by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 to supplemental memorandum [75-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS; exhibits (5) (tb) (Entered: 09/15/1999)
09/20/1999		SUPPLEMENTAL MEMORANDUM by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 in support of motion for summary judgment [46-1] by BUREAU/NATL. AFFAIRS (tb) (Entered: 09/21/1999)
09/20/1999		RESPONSE (OPPOSITIONS) by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 to supplemental memorandum [75-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS (tb) (Entered: 09/21/1999)
09/20/1999		STATUS HEARING before Magistrate Judge John M. Facciola : Reporter: Tape CT 26-99-16; Lines 2338-5770. (pao) (Entered: 09/21/1999)
09/23/1999		MEMORANDUM by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 in support of motion for partial summary judgment [70-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS; Attachment. (lkn) (Entered: 09/24/1999)
09/23/1999		RESPONSE (OPPOSITIONS) by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 to supplemental memorandum [75-1] by MARGARET RICHARDSON, ROBERT E. RUBIN, IRS; Exhibit. (lkn) (Entered: 09/24/1999)
09/29/1999	20	ORDER by Magistrate Judge John M. Facciola : granting in part, denying in part motion for clarification of order 10/16/98 [41-1] in 1:96-cv-00376 (N) (pao) (Entered: 09/29/1999)
09/29/1999	21	ORDER by Magistrate Judge John M. Facciola : granting motion for leave to file a memorandum amicus curiae in opposition to plaintiff Bureau of National Affairs, Inc.'s motion for summary judgment [58-1] by TAX EXECUTIVES in 1:96-cv-00376; granting motion for leave to participate as Amici Curiae [59-1]. (N) (pao) Modified on 09/30/1999 (Entered: 09/29/1999)
09/29/1999	22	ORDER by Magistrate Judge John M. Facciola : denying motion to lift the in camera status of defendants' index [47-1] by BUREAU/NATL. AFFAIRS in 1:96-cv-00376 (N) (pao) (Entered: 09/29/1999)



10/05/1999	23	STATEMENT filed by federal defendant in 1:96-cv-00376, federal defendant in 1:96-cv-02820, federal defendant in 1:98-cv-01473, regarding: consolidated cases. (jf) (Entered: 10/06/1999)
10/14/1999		MOTION filed by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 for expedited reconsideration of order [83-1], order [82-1], order [81-1] ; Exhibits (4) (lkn) (Entered: 10/15/1999)
10/22/1999		MEMORANDUM by amicus NFTC in 1:96-cv-00376, amicus OFII in 1:96-cv-00376, amicus M CORP in 1:96-cv-00376, amicus L CORP in 1:96-cv-00376 in opposition to motion for expedited reconsideration of order [83-1], order [82-1], order [81-1] [86-1] by BUREAU/NATL. AFFAIRS (tb) (Entered: 11/02/1999)
10/25/1999		MEMORANDUM by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376 in opposition to motion for expedited reconsideration of order [83-1], order [82-1], order [81-1] [86-1] by BUREAU/NATL. AFFAIRS (tb) (Entered: 10/26/1999)
10/29/1999		REPLY by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376 to opposition to motion for expedited reconsideration of order [83-1], order [82-1], order [81-1] [86-1]; exhibits (3) (jf) (Entered: 10/31/1999)
01/03/2000		NOTICE OF SUPPLEMENTAL AUTHORITY RE: dispositive legislation by federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376; attachment (tb) (Entered: 01/04/2000)
01/05/2000		CASE referral ended Magistrate Judge John M. Facciola (pao) (Entered: 01/11/2000)
01/06/2000	24	STIPULATION OF DISMISSAL of case by plaintiff BUREAU/NATL. AFFAIRS in 1:96-cv-00376, federal defendant IRS in 1:96-cv-00376, federal defendant ROBERT E. RUBIN in 1:96-cv-00376, federal defendant MARGARET RICHARDSON in 1:96-cv-00376, movant TAX EXECUTIVES in 1:96-cv-00376, movant ABC CORPORATION in 1:96-cv-00376, movant DEF, INC. in 1:96-cv-00376, movant XYZ, INC. in 1:96-cv-00376, amicus NFTC in 1:96-cv-00376, amicus OFII in 1:96-cv-00376, amicus M CORP in 1:96-cv-00376, amicus L CORP in 1:96-cv-00376, plaintiff BUREAU NATL AFFAIRS in 1:96-cv-02820, federal defendant IRS in 1:96-cv-02820, federal defendant ROBERT E. RUBIN in 1:96-cv-02820, federal defendant MARGARET RICHARDSON in 1:96-cv-02820, plaintiff BUREAU NATL AFFAIRS in 1:98-cv-01473, federal defendant IRS in 1:98-cv-01473, federal defendant ROBERT E. RUBIN in 1:98-cv-01473, federal defendant CHARLES O. ROSSOTTI in 1:98-cv-01473. (dcn) (Entered: 01/06/2000)